

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	Cause No. 4:09-CR00509 JCH
vs.)	
)	
RANDALL K. SUTTON,)	
SHARON NEKOL PROVINCE,)	
JAMES DOUGLAS CASSITY,)	
BRENT DOUGLAS CASSITY,)	
HOWARD A. WITTNER, and)	
DAVID R. WULF,)	
Defendants.)	

DEFENDANT HOWARD WITTNER'S SECOND REQUEST FOR EXTENSION OF
TIME TO PROVIDE EXPERT DISCLOSURE TO THE GOVERNMENT UNTIL
JUNE 10, 2013

COMES NOW, Howard Wittner, by and through counsel, and requests that this Court grant him an extension of time until June 10, 2013 to disclose to the Government under Rules 702, 703 and 705 the summary of any possible experts that defendant may present at trial. In support of his Motion, defendant states the following:

1. Yesterday, this Court granted defendant Wittner's request for extension of time to disclose his accounting expert to the Government until June 5, 2013;
2. Almost simultaneously with the issuance of the Court's Order, the Government sent an email to all defendants stating that it had received a number of requests for consent for extension of time to disclose from various defendants. The Government's email stated, in relevant part, "[i]n order to be consisted with all of the defendants, the

Government will agree to consent to an extension for all defendants to designate their expert witnesses on or before June 10, 2013;”

3. In light of the Government’s email and the requests made by other defendants, defendant Wittner also requests that this Court grant an extension of time to disclose and designate all of his experts until June 10, 2013.

WHEREFORE defendant Wittner requests an extension until June 10, 2013 in which to provide the Government disclosure and designation of his expert witnesses in the above styled cause.

Respectfully Submitted,

/s/ Kim Freter

Kim C Freter #47777MO
Attorney at Law
225 S. Meramec, Ste 301
Clayton, MO 63105
Telephone: (314) 721 6565
Facsimile: (314) 269 1042
kimfed@freterlaw.com
Attorney for Howard A. Wittner

CERTIFICATE OF SERVICE

I certify on 5/ 30/13, I electronically filed a true copy of the above with the Clerk of the Court using the CM/ECF system which will send notification to the following: Assistant United States Attorneys, Steven Muchnick, Charles Birmingham, and Richard Finneran and all other counsel of record.

/s/ Kim Freter

Kim Freter